

|                    |                  |        |                        |                                                                             |        |        |             |
|--------------------|------------------|--------|------------------------|-----------------------------------------------------------------------------|--------|--------|-------------|
|                    |                  |        |                        | UAW, to Secretary Janet Napolitano, regarding alleged civil rights violatio |        | (b)(6) |             |
| DhsComplaint       | 2011-08-23 12:00 | Create | Allegation             | (CR/CL) Civil Rights/Civil Liberty                                          | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Days to Process        | 36                                                                          | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Date Due to Exec Sec   | 07/28/2011                                                                  | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Date to Exec Sec       | 07/18/2011                                                                  | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Date to CRCL           | 07/18/2011                                                                  | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Date to DHS            | 07/13/2011                                                                  | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Date on Correspondence | 07/13/2011                                                                  | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Control Number         | 915306                                                                      | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Sender Type            | Exec Sec                                                                    | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Method of Receipt      | Email                                                                       | 7865   |        | User Change |
| DhsComplaint       | 2011-08-23 12:00 | Create | Entry Date             | 08/23/2011                                                                  | 7865   |        | User Change |
| DhsComplaintAction | 2011-10-25 16:51 | Create | Action Date            | 10/24/2011                                                                  | 106273 |        | User Change |
| DhsComplaintAction | 2011-10-25 16:51 | Create | Action                 | Short Form                                                                  | 106273 |        | User Change |
| DhsComplaintAction | 2011-09-02 13:18 | Create | Action Date            | 09/02/2011                                                                  | 105928 |        | User Change |
| DhsComplaintAction | 2011-09-02 13:18 | Create | Primary Assignment     | (b)(6)                                                                      | 105928 |        | User Change |
| DhsComplaintAction | 2011-09-02 13:18 | Create | Action                 | Back from Officer                                                           | 105928 |        | User Change |
| DhsComplaintAction | 2011-09-02 13:18 | Create | Comments               | Short Form assign to (b)(6)                                                 | 105928 |        | User Change |
| DhsComplaintAction | 2011-08-25 13:26 | Create | Action Date            | 08/25/2011                                                                  | 105881 |        | User Change |
|                    |                  |        |                        | On August 16, 2011, Jeffrey Blumberg,                                       |        |        |             |

|                      |                  |        |                   |                                                                                                                                                          |        |        |             |
|----------------------|------------------|--------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|-------------|
| DhsComplaintAction   | 2011-08-25 13:26 | Create | Comments          | Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it<br>(b)(5)                                       | 105881 | (b)(6) | User Change |
| DhsComplaintAction   | 2011-08-25 13:26 | Create | Action            | Awaiting Recommendation                                                                                                                                  | 105881 |        | User Change |
| DhsComplaintAction   | 2011-08-25 13:25 | Create | Action Date       | 08/25/2011                                                                                                                                               | 105880 |        | User Change |
| DhsComplaintAction   | 2011-08-25 13:25 | Create | Document          | 11-10-ICE-0287 (OIG Response 8.25.2011).pdf                                                                                                              | 105880 |        | User Change |
| DhsComplaintAction   | 2011-08-25 13:25 | Create | Action            | IG Declines/Back from IG                                                                                                                                 | 105880 |        | User Change |
| DhsComplaintAction   | 2011-08-23 12:53 | Create | Action Date       | 08/23/2011                                                                                                                                               | 105860 |        | User Change |
| DhsComplaintAction   | 2011-08-23 12:53 | Create | Action            | Sent to IG                                                                                                                                               | 105860 |        | User Change |
| DhsComplaintAction   | 2011-08-23 12:52 | Create | Action Date       | 08/16/2011                                                                                                                                               | 105859 |        | User Change |
| DhsComplaintAction   | 2011-08-23 12:52 | Create | Comments          | On August 16, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it<br>(b)(5) | 105859 |        | User Change |
| DhsComplaintAction   | 2011-08-23 12:52 | Create | Action            | Open a Complaint                                                                                                                                         | 105859 |        | User Change |
| DhsComplaintAction   | 2011-12-05 13:12 | Create | Internal Summary  | Summary to be written.                                                                                                                                   | 106650 |        | User Change |
| DhsComplaintAction   | 2011-12-05 13:12 | Create | Document          | SHORT FORM (b)(6)<br>11-10-ICE-0287_Signed 11-22-11.pdf                                                                                                  | 106650 |        | User Change |
| DhsComplaintAction   | 2011-12-05 13:12 | Create | Action Date       | 11/22/2011                                                                                                                                               | 106650 |        | User Change |
| DhsComplaintAction   | 2011-12-05 13:12 | Create | Action            | Closed - Short Form/No Further Action                                                                                                                    | 106650 |        | User Change |
| DhsComplaintAction   | 2011-12-05 13:12 | Create | Reporting Summary | Summary to be written.                                                                                                                                   | 106650 |        | User Change |
| DhsComplaintDocument | 2011-12-05 13:10 | Update | Document 2        | SHORT FORM (b)(6)<br>11-10-ICE-0287_Signed 11-22-                                                                                                        | 85584  |        | User Change |

|                      |                  |        |                        |                                                               |       |        |             |
|----------------------|------------------|--------|------------------------|---------------------------------------------------------------|-------|--------|-------------|
|                      |                  |        |                        | 11.pdf                                                        |       | (b)(6) |             |
| DhsComplaintDocument | 2011-11-22 13:25 | Create | Foreign Language       | No                                                            | 85584 |        | User Change |
| DhsComplaintDocument | 2011-11-22 13:25 | Create | Document 1             | CRCL Close Letter Complaint No. 11-10-ICE-0287.pdf            | 85584 |        | User Change |
| DhsComplaintDocument | 2011-11-22 13:25 | Create | Document Type          | Closed Letter                                                 | 85584 |        | User Change |
| DhsComplaintDocument | 2011-11-22 13:25 | Create | Dateentered            | 11/22/2011.                                                   | 85584 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:06 | Update | Document 3             | 7 18 2011 (b)(6) supplemental-ICE OPR review findings.pdf     | 84894 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:03 | Create | Foreign Language       | No                                                            | 84895 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:03 | Create | Dateentered            | 08/23/2011.                                                   | 84895 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:03 | Create | Document Type          | Acknowledgement Letter.                                       | 84895 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:03 | Create | Document 1.            | 7 29 2011 915306 DHS CRCL letter to (b)(6) of UAW Detroit.pdf | 84895 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:02 | Create | Document 2             | 7 25 2011 (b)(6) Rep. Conyers Letter.pdf                      | 84894 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:02 | Create | Foreign Language       | No                                                            | 84894 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:02 | Create | Dateentered            | 08/23/2011.                                                   | 84894 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:02 | Create | Document Type          | Incoming Letter.                                              | 84894 |        | User Change |
| DhsComplaintDocument | 2011-08-23 12:02 | Create | Document 1.            | 7 18 2011 (b)(6) pdf                                          | 84894 |        | User Change |
| DhsComplaintIssue    | 2011-08-23 12:12 | Create | Ongoing                | No                                                            | 13118 |        | User Change |
| DhsComplaintIssue    | 2011-08-23 12:12 | Create | Situation              | DHS law enforcement activity                                  | 13118 |        | User Change |
| DhsComplaintIssue    | 2011-08-23 12:12 | Create | Incident Location Type | Residence                                                     | 13118 |        | User Change |
| DhsComplaintIssue    | 2011-08-23 12:12 | Create | Redirect to Subject    | No                                                            | 13118 |        | User Change |
| DhsComplaintIssue    | 2011-08-23 12:12 | Create | (b)(5)                 | (b)(5)                                                        | 13118 |        | User Change |

|                             |                  |        |                        |                              |       |        |             |
|-----------------------------|------------------|--------|------------------------|------------------------------|-------|--------|-------------|
| DhsComplaintIssue           | 2011-08-23 12:12 | Create | Primary Issue          | No                           | 13118 | (b)(6) | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | State                  | Michigan - MI                | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Ongoing                | No                           | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Situation              | DHS law enforcement activity | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Incident Location Type | Residence                    | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Incident Date          | 01/03/2011                   | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Redirect to Subject    | No                           | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | City                   | Pontiac                      | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | (b)(5)                 | (b)(5)                       | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Primary Issue          | Yes                          | 13117 |        | User Change |
| DhsComplaintIssue           | 2011-08-23 12:11 | Create | Incident Location      | Walton Manor Trailer Park    | 13117 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:16 | Create | Prefix                 | Ms                           | 22169 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:16 | Create | Last Name              | (b)(6)                       | 22169 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:16 | Create | Contact Type           | On Behalf Of                 | 22169 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:16 | Create | First Name             | (b)(6)                       | 22169 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Prefix                 | Mrs                          | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Zip Code               | 48214                        | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Phone                  | (b)(6)                       | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Other Organization     | UAW                          | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Organization           | Other                        | 22168 |        | User Change |

|                             |                  |        |                |                          |       |        |             |
|-----------------------------|------------------|--------|----------------|--------------------------|-------|--------|-------------|
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Address Line 1 | 8000 East Jefferson Ave. | 22168 | (b)(6) | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | State          | Michigan - MI            | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | City           | Detroit                  | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Last Name      | (b)(6)                   | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | Contact Type   | Sender                   | 22168 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 12:15 | Create | First Name     | (b)(6)                   | 22168 |        | User Change |

**From:** (b)(6)  
**To:**  
**Cc:**  
**Subject:** RE: CRCL Complaint Number 11-10-ICE-0289  
**Date:** Tuesday, August 30, 2011 9:21:31 AM

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*Office of Inspector General*

**U.S. Department of Homeland Security**



**Homeland  
Security**

(b)(5)

If you have any questions concerning this matter, you may contact (b)(6) Deputy Assistant Inspector General for Investigations-Field Operations at 202-(b)(6)

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**From:** (b)(6)@dhs.gov]  
**Sent:** Tuesday, August 23, 2011 3:21 PM  
**To:** (b)(6)  
**Cc:**  
**Subject:** CRCL Complaint Number 11-10-ICE-0289

(b)(6)

Summary of new complaint for your review:

On July 18, 2011, CRCL received an Exec Sec tasker (WF#915306) in regards to correspondence dated July 13, 2011 sent to Secretary Janet Napolitano, from (b)(6) of United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), alleging incidents of profiling and conditions of detention in the Detroit, Michigan area involving ICE and CBP.

(b)(6) of UAW on behalf of (b)(6) a Lawful Permanent Resident (LPR), and her son, (b)(6) a US Citizen, alleging that in February 2011 in Grand Rapids, Michigan, when pulling into their relatives' driveway for a visit, unidentified ICE agents ran toward them, pointed a gun at (b)(6) ordered him to show ID, which they both showed driver's license. Allegedly, then Ice handcuffed (b)(6) and escorted her to the back of the car where an agent held a gun to her back and repeatedly banged her head into the trunk of the car yelling at her to admit she was (b)(6). Finally, ICE escorted a handcuffed (b)(6) into an apartment where they were interrogated.

Thank you.

---

(b)(6)

Program Analyst  
Compliance Branch  
Office for Civil Rights & Civil Liberties  
Department of Homeland Security





Homeland  
Security

September 25, 2012

(b)(6)

International Union, United Automobile, Aerospace,  
and Agricultural Implement Workers of American (UAW).  
8000 E. Jefferson Avenue  
Detroit, MI 48214

Re: Complaint No. 11-10-ICE-0289

(b)(6)

Dear (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received by the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) on July 13, 2011, which raised a series of allegations regarding the treatment of individuals by the U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP). In particular, one of your allegations involved the treatment of (b)(6) by ICE agents in Grand Rapids, Michigan. In the complaint, you allege that ICE agents improperly detained, interrogated, and assaulted (b)(6) when they attempted to visit relatives.

In a letter sent to you on July 29, 2011, CRCL informed you that our office would review the allegations raised in your complaint and determine the appropriate course of action to take in investigating it. Since receipt of the complaint, however, we have learned that a lawsuit has been filed on behalf of (b)(6) in the United States District Court for the Western District of Michigan regarding the same incident referenced in your complaint. The lawsuit is against a number of defendants, including two ICE agents. Since the Court will be addressing the allegation in your complaint involving (b)(6) CRCL has decided to monitor this litigation and wait for it to conclude before finalizing our investigation of this particular allegation. When the litigation concludes, CRCL will contact you if our office intends to take any further action on this matter.



We appreciate your bringing this matter to our attention. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg  
Director, Compliance Branch  
Office for Civil Rights and Civil Liberties  
U.S. Department of Homeland Security



**Homeland  
Security**

September 25, 2012

(b)(6)

ACLU of Michigan  
89 Ionia NW, Suite 300  
Grand Rapids, MI 49503  
(b)(6)@aclumich.org

Re: Complaint No. 11-10-ICE-0289

(b)(6)

Dear (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received by the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of American (UAW) regarding the treatment of your clients, (b)(6) by agents of U.S. Immigration and Customs Enforcement (ICE). The complaint alleges that ICE agents improperly detained, interrogated, and assaulted your clients in Grand Rapids, Michigan, when they attempted to visit relatives.

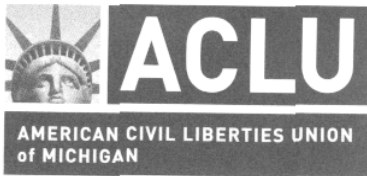
In a letter sent on July 29, 2011, CRCL informed the UAW that our office would review the allegations raised in the complaint and determine the appropriate course of action to take in investigating it. Since receipt of this complaint, however, we have learned that you have filed a lawsuit on behalf of your clients in the United States District Court for the Western District of Michigan regarding the same incident referenced in the complaint. The lawsuit is against a number of defendants, including two ICE agents. Since the Court will be addressing the same allegations that were made in the complaint, CRCL has decided to monitor this litigation and wait for it to conclude before finalizing our investigation of the complaint. When the litigation concludes, CRCL will contact you if our office intends to take any further action on this matter.

We appreciate your bringing this matter to our attention. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey S. Blumberg".

Jeffrey S. Blumberg  
Director, Compliance Branch  
Office for Civil Rights and Civil Liberties  
U.S. Department of Homeland Security



**State Headquarters**  
2966 Woodward Avenue  
Detroit, Michigan 48201  
Phone 313.578.6800  
Fax 313.578.6811  
Email [aclu@aclumich.org](mailto:aclu@aclumich.org)  
[www.aclumich.org](http://www.aclumich.org)

**Legislative Office**  
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Lansing, Michigan 48901  
Phone 517.372.8503  
Fax 517.372.8503  
Email [lansing@aclumich.org](mailto:lansing@aclumich.org)  
[www.aclumich.org](http://www.aclumich.org)

**West Michigan Regional Office**  
89 Ionia NW, Suite 300  
Grand Rapids, MI 49503  
Phone 616.301.0930  
Fax 616.456.1450  
Email [aclu@aclumich.org](mailto:aclu@aclumich.org)  
[www.aclumich.org](http://www.aclumich.org)

June 13, 2011

(b)(6),(b)(7)(C)

Senior Special Agent  
Department of Homeland Security  
Office of Professional Responsibility  
9450 W. Bryn Mawr, Suite 650  
Rosemont, IL 60018

(b)(6)

Deputy Chief  
United States Department of Justice  
Civil Rights Division/Criminal Section  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Re: OPR Criminal Investigation

Dear (b)(6),(b)(7)(C) and (b)(6)

On June 1, 2011, Agent (b)(6),(b)(7)(C) contacted the American Civil Liberties Union of Michigan in response to a press release (see attached) regarding the unlawful conduct by agents of Immigration and Customs Enforcement (ICE) against our clients, (b)(6). (b)(6) indicated that, based on the serious nature of the allegations, which include charges that ICE agents unlawfully arrested and assaulted our clients based on the color of their skin, the Department of Homeland Security's Office of Professional Responsibility has initiated a criminal investigation. (b)(6),(b)(7)(C) requested that we make our clients available for interviews.

Since then we have had several exchanges with (b)(6),(b)(7)(C) about how such interviews might take place, in light of the fact that our clients have filed an administrative complaint under the Federal Tort Claims Act which, if unresolved, could well result in civil litigation. We include the Department of Justice Civil Rights Division Criminal Section on this correspondence, as we believe that one possible approach going forward is for the criminal investigation to be handled by DOJ's Civil Rights Division Criminal Section. Given that the arrest and assault of our clients occurred after our clients showed valid identification, and therefore seems to have been based solely on the fact that they appeared Hispanic, it would be appropriate for the investigation and potential prosecution to be handled by the Civil Rights Division Criminal Section.

Our clients welcome the investigation into the abuse they suffered. It is critical that the ICE agents responsible for this misconduct are held accountable. There is no place in ICE enforcement operations for agents who assume that Hispanic-appearing persons are unlawfully present in the United States, much less for agents who commit assaults based on that faulty assumption. Our clients recognize that their testimony is central to the investigation, and they are eager to ensure that an investigation takes place.



**Celebrating 50 Years**

Kary L. Moss, Esq. | Executive Director

Ralph Simpson, Esq. | President

Mark Granzotto, Esq. | General Counsel

DHS-000348

At the same time, before our clients agree to participate, they need reassurance that the goal of any investigation is to uncover and address ICE misconduct, not to impose a one-sided discovery process for use against our clients or their family members in any subsequent administrative or civil proceedings. This issue is of particular concern since the entities responsible for making determinations regarding potential criminal liability of the agents are potentially the same entities responsible for defending ICE in civil litigation. Specifically, (b)(6),(b)(7)(C) indicated that the Department of Homeland Security's Office of the Principal Legal Advisor (OPLA) would both be privy to all statements made during the criminal investigation, and would at the same time participate in defending ICE in any civil litigation. Moreover, we would note that if any criminal proceedings are prosecuted by the local U.S. Attorney's Office, that Office might well also be responsible for the defense of any civil suit.

We are hopeful that we can reach agreement on a process that would allow our clients to cooperate with a criminal investigation, while ensuring that their interests are protected. We see three possible avenues by which such an investigation could proceed.

That first alternative would be for the criminal investigation to be conducted directly by the Department of Justice's Civil Rights Division Criminal Section. While it is our understanding that an OPR investigation is necessary for officer discipline (which could occur subsequent to the criminal investigation), OPR is not the only entity with jurisdiction to pursue a criminal investigation. Given the allegations here, investigation by the Civil Rights Division Criminal Section would be appropriate. Although theoretically the local U.S. Attorney's office could also handle the investigation, that raises potential conflict issues. Not only may the U.S. Attorney's Office for the Western District potentially handle the civil litigation, but the Office may well be relying, in other criminal prosecutions, on testimony by the very agents under investigation here.

If the Civil Rights Division pursues the investigation, we would need to ensure that any statements made to investigators or attorneys in the Civil Rights Division not be disclosed beyond that Division to DOJ attorneys responsible for defending the civil litigation or to the Department of Homeland Security's Office of the Principal Legal Advisor. We assume that the Civil Rights Division has experience creating firewalls in such situations, and that those standard conflict protections would apply. To further ensure that our clients' interests are protected, we would also ask that counsel be allowed to be present during any testimony by our clients in front of a Grand Jury.

The second option is for OPR to continue handling the investigation. In order for our clients to be available for interviews by OPR investigators, we would need to ensure that basic procedural protections be incorporated into the OPR investigation. In particular, we want to ensure that neither ICE nor its legal representatives gain an unfair advantage by accessing information or statements revealed in interviews that could be used against our clients or their family members in other legal proceedings, including civil litigation. In short, we want to make our clients available for an impartial, independent, and thorough investigation, but we cannot allow ICE to use the investigation results as a means of extrajudicial discovery. The process, as proposed by OPR, would give ICE and its legal representatives access to all of OPR's internal investigation



records, while we would have no parallel right of access to the statements of ICE agents or even to the overall results of the investigation.

In order to ensure a level playing field, we would ask for the following basic procedural protections:

- Written assurance that any statement made by our clients during the course of the investigation will not be used against them or their family members in any future administrative or legal proceedings;
- Written assurance that neither the final OPR report nor any part thereof will be used against our clients in any future proceedings;
- Written assurance that OPR will not orally or otherwise communicate the content of the interviews or the final OPR report to any person involved in administrative or civil proceedings against our clients or their family members, including, but not limited to OPLA attorneys involved in handling the FTCA complaint or related civil litigation, the Civil Divisions of the U.S. Attorneys' Offices for the Western and Eastern Districts of Michigan, any other Department of Justice Attorneys involved in the FTCA complaint or related civil litigation, and the ICE Trial Division;
- Written assurance that OPR will provide notice when the final OPR report is prepared and will provide a copy of the report upon receipt of a Freedom of Information Act Request;
- Written assurance that our clients will be interviewed with counsel present and that any interviews provided under oath will be recorded;
- Written assurance that OPR will provide us with a copy of its records of our clients' interviews within fourteen (14) days of the dates on which the interviews take place;
- Written assurance that OPR will provide us with written notice at least ten (10) days in advance of releasing any records of our clients' interviews or other statements by our clients pursuant to the Freedom of Information Act, so that we can determine whether any such release would be proper.

Since (b)(6),(b)(7)(C) has indicated that OPR itself cannot provide such assurances, those assurances would need to be provided in writing by appropriate ICE or DHS officials who have the authority to provide such assurances.

Finally, if OPR is unable to provide the assurances we have requested, we would suggest an attorney proffer. As counsel we have thoroughly investigated this case, including extensive interviews with our clients and other witnesses, and we are fully versed in the facts. We are prepared to speak for our clients and, if interviewed by OPR, can provide full information about what occurred. We are also prepared to have our clients attend such an interview. Should any

factual questions arise which counsel cannot answer, we would be able to speak to our clients privately and then relay that information to the investigating OPR agent.

We believe that this approach provides OPR with all of the evidence it will need to conduct a thorough and fair investigation, without prejudicing our clients' civil claims. If the information gained by OPR through the attorney proffer and other sources results in this case being accepted for criminal prosecution, we would then make our clients available directly to the prosecuting attorney, provided that conflict protections are in place.

Let me reiterate that our clients are eager to participate in the investigation and are eager to see the agents involved held accountable. While we cannot prejudice our clients' interests for the sake of the investigation, we are confident that one of the solutions outlined above will allow both the criminal investigation and the civil claims to move forward.

We look forward to hearing from you.

Sincerely,

(b)(6)

Staff Attorney  
West Michigan Regional Office  
616-(b)(6)

(b)(6)

(b)(6)  
616-(b)(6)

(b)(6)

Michigan Immigrants Rights Center  
269-(b)(6)



**From:** (b)(6)  
**To:**  
**Subject:** RE: Complaint No. 11-10-ICE-0289  
**Date:** Wednesday, July 11, 2012 10:28:51 AM

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(b)(6) It was one of the UAW complaints.

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**From:** (b)(6)  
**Sent:** Wednesday, July 11, 2012 10:26 AM  
**To:** (b)(6)  
**Subject:** Re: Complaint No. 11-10-ICE-0289

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Which one is it? Name?

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**From:** (b)(6)  
**Sent:** Wednesday, July 11, 2012 02:17 PM  
**To:** (b)(6)  
**Subject:** Complaint No. 11-10-ICE-0289

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Just wanted to let you know that the IG has administratively closed its investigation into this complaint without a report. According to the OIG, OPR conferred with CRCL on this complaint prior to OIG involvement. If you've been holding off on working on this complaint because the IG was investigating, you can start working on it again. Non Responsive

Non Responsive

(b)(6)  
Senior Policy Advisor  
Office for Civil Rights and Civil Liberties  
Department of Homeland Security  
(202) 357-(b)(6)  
(b)(6)@dhs.gov

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=====

**From:** (b)(6),(b)(7)  
**To:** Blumberg, Jeffrey; (b)(6)  
**Cc:** (b)(6)  
**Subject:** RE: UAW Close Letter (Litigation)  
**Date:** Friday, September 14, 2012 9:55:52 AM

---

I am not sure if particular what types of recommendations might come out of this- but it is an

(b)(5)

---

**From:** Blumberg, Jeffrey  
**Sent:** Thursday, September 13, 2012 8:29 PM  
**To:** (b)(6)  
**Cc:** (b)(6),(b)(7)(C) (b)(6)  
**Subject:** RE: UAW Close Letter (Litigation)

Fine to close. (b)(5)

(b)(5)

(b)(5) Anything in particular with this one that we know we will be interested in?

---

**From:** (b)(6)  
**Sent:** Thursday, September 13, 2012 5:02 PM  
**To:** Blumberg, Jeffrey  
**Cc:** (b)(6)  
**Subject:** FW: UAW Close Letter (Litigation)

#6.

---

(b)(6)  
Senior Policy Advisor  
Office for Civil Rights and Civil Liberties  
(202) 357 (b)(6)  
(b)(6) @dhs.gov

*This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security's Office of the General Counsel before disclosing any information*

*contained in this email.*

---

**From:** (b)(6)  
**Sent:** Wednesday, September 12, 2012 4:38 PM  
**To:** (b)(6)  
**Cc:** (b)(6),(b)(7)(C)  
**Subject:** UAW Close Letter (Litigation)

Hello (b)(6)

Thanks to you and (b)(6),(b)(7)(C) attached are the close letters based on the pending litigation for this case. One is for the UAW and the other is for the attorney representing the individuals who we also spoke with about this case.

Complaint No. 11-10-ICE-0289

(b)(6)

If you need any changes etc. you can send them to (b)(6),(b)(7)(C) and either of you can feel free to close the case in my absence – unless it happens tomorrow. I am also happy to do it when I get back.

(b)(6),(b)(7)(C) – if it falls to you, and you have not done this, we just put a short summary in the database indicating why the case was closed.

Thanks again!!

(b)(6)

DHS/TSA Civil Rights

## DHS Complaint History Listing

DHS Matters: Contact-DHS-11-1093 11-10-ICE-0289 (b)(6)

| Data Object        | Date             | Event  | Field                  | New Value                                                                                                                                                                                                                               | Tracking Id | User   | Reason      |
|--------------------|------------------|--------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------|-------------|
| DhsComplaint       | 2011-08-23 13:31 | Create | Entry Date             | 08/23/2011.                                                                                                                                                                                                                             | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Method of Receipt      | Email                                                                                                                                                                                                                                   | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Sender Type            | Exec Sec                                                                                                                                                                                                                                | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Control Number         | 915306                                                                                                                                                                                                                                  | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Date on Correspondence | 07/13/2011                                                                                                                                                                                                                              | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Date to DHS            | 07/13/2011.                                                                                                                                                                                                                             | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Date to CRCL           | 07/18/2011.                                                                                                                                                                                                                             | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Date to Exec Sec       | 07/18/2011.                                                                                                                                                                                                                             | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Date Due to Exec Sec   | 07/28/2011                                                                                                                                                                                                                              | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Days to Process        | 36                                                                                                                                                                                                                                      | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Allegation             | (CR/CL) Civil Rights/Civil Liberty                                                                                                                                                                                                      | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Executive Summary      | Contact-DHS-11-1034 is the July 13, 2011 letter from (b)(6) International Union, United Automobile, Aerospace & Agricultural Implement Workers of America - UAW, to Secretary Janet Napolitano, regarding alleged civil rights violatio | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Summary                | Contact-DHS-11-1034 is the July 13, 2011 letter from (b)(6) International Union, United Automobile, Aerospace & Agricultural Implement Workers of America - UAW, to Secretary Janet Napolitano, regarding alleged civil rights violatio | 7869        | (b)(6) | User Change |
| DhsComplaint       | 2011-08-23 13:31 | Create | Component Referenced   | ICE                                                                                                                                                                                                                                     | 7869        | (b)(6) | User Change |
| DhsComplaintAction | 2012-06-13 10:53 | Create | Action                 | Back from Officer                                                                                                                                                                                                                       | 107699      | (b)(6) | User Change |
| DhsComplaintAction | 2012-06-13 10:53 | Create | Action Date            | 08/29/2011.                                                                                                                                                                                                                             | 107699      | (b)(6) | User Change |
| DhsComplaintAction | 2012-06-13 10:53 | Create | Comments               | 06/13/2012 - Assigned to (b)(6)                                                                                                                                                                                                         | 107699      | (b)(6) | User Change |
| DhsComplaintAction | 2012-06-13 10:53 | Create | Primary Assignment     | (b)(6)                                                                                                                                                                                                                                  | 107699      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-11 15:11 | Create | Action Date            | 09/11/2012                                                                                                                                                                                                                              | 108297      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-11 15:11 | Create | Document               | 7_29_2011_915306_DHS_CRCL_letter_to_(b)(6)_of_UAW_Detroit.pdf                                                                                                                                                                           | 108297      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-11 15:11 | Create | Action                 | Acknowledgement Letter Sent                                                                                                                                                                                                             | 108297      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-25 12:35 | Create | Action Date            | 09/25/2012                                                                                                                                                                                                                              | 108387      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-25 12:35 | Create | Document               | CRCL 11-10-ICE-0289 Close letter, UAW.pdf                                                                                                                                                                                               | 108387      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-25 12:35 | Create | Action                 | Closed - Retained/Monitoring                                                                                                                                                                                                            | 108387      | (b)(6) | User Change |
| DhsComplaintAction | 2012-09-25 12:35 | Create | Internal Summary       | (b)(6) to add summary                                                                                                                                                                                                                   | 108387      | (b)(6) | User Change |

|                      |                  |        |                   |                                                         |        |        |             |
|----------------------|------------------|--------|-------------------|---------------------------------------------------------|--------|--------|-------------|
| DhsComplaintAction   | 2012-09-25 12:35 | Create | Reporting Summary | (b)(6) to add summary                                   | 108387 | (b)(6) | User Change |
| DhsComplaintAction   | 2011-08-23 15:21 | Create | Action            | Open a Complaint                                        | 105863 |        | User Change |
| DhsComplaintAction   | 2011-08-23 15:21 | Create | Action Date       | 08/16/2011                                              | 105863 |        | User Change |
| DhsComplaintAction   | 2011-08-23 15:21 | Create | Action            | Sent to IG                                              | 105864 |        | User Change |
| DhsComplaintAction   | 2011-08-23 15:21 | Create | Action Date       | 08/23/2011                                              | 105864 |        | User Change |
| DhsComplaintAction   | 2011-08-30 09:29 | Create | Action            | IG Keeps                                                | 105905 |        | User Change |
| DhsComplaintAction   | 2011-08-30 09:29 | Create | Document          | 11-10-ICE-0289 (OIG Response 8.30.2011)IG Keep.pdf      | 105905 |        | User Change |
| DhsComplaintAction   | 2011-08-30 09:29 | Create | Action Date       | 08/30/2011                                              | 105905 |        | User Change |
| DhsComplaintDocument | 2012-09-25 12:36 | Create | Document 1        | CRCL 11-10-ICE-0289 Close letter.pdf                    | 87919  |        | User Change |
| DhsComplaintDocument | 2012-09-25 12:36 | Create | Foreign Language  | No                                                      | 87919  |        | User Change |
| DhsComplaintDocument | 2012-09-25 12:36 | Create | Dateentered       | 09/25/2012                                              | 87919  |        | User Change |
| DhsComplaintDocument | 2012-09-25 12:36 | Create | Document Type     | Closed Letter                                           | 87919  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Document 1        | OPR Report.pdf                                          | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Document 3        | Affidavit_Rights_and_Warnings_of (b)(6),(b)(7) pdf      | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Foreign Language  | No                                                      | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Document 5        | Affidavit_Rights_and_Warnings_of_SSDO (b)(6),(b)(7) pdf | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Document 2        | Affidavit_Rights_and_Warnings_of (b)(6),(b)(7) pdf      | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Document 4        | Affidavit_rights_and_warnings_of (b)(6),(b)(7) pdf      | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Document Type     | ROI                                                     | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:41 | Create | Dateentered       | 01/24/2013                                              | 89206  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:42 | Create | Document 1        | Affidavit_and_Rights_and_warnings_of (b)(6),(b)(7) pdf  | 89207  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:42 | Create | Foreign Language  | No                                                      | 89207  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:42 | Create | Document Type     | ROI                                                     | 89207  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:42 | Create | Dateentered       | 01/24/2013                                              | 89207  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:44 | Create | Document 1        | Document - ICE FOIA.pdf                                 | 89208  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:44 | Create | Comments          | ICE FOIA                                                | 89208  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:44 | Create | Foreign Language  | No                                                      | 89208  |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:44 | Create | Document 2        | RESPONSE_ TASKING FOIA 11-9091 .pdf                     | 89208  |        | User Change |



|                      |                  |        |                  |                                                           |       |        |             |
|----------------------|------------------|--------|------------------|-----------------------------------------------------------|-------|--------|-------------|
| DhsComplaintDocument | 2013-01-24 09:44 | Create | Document Type    | Miscellaneous Material/Other                              | 89208 | (b)(6) | User Change |
| DhsComplaintDocument | 2013-01-24 09:44 | Create | Dateentered      | 01/24/2013                                                | 89208 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:46 | Create | Document 1       | (b)(6),(b)(7)(C) Affidavit_and_Rights_and_Warnings.pdf    | 89209 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:46 | Create | Foreign Language | No                                                        | 89209 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:46 | Create | Document 2       | FW_ 11-10-ICE-0289 - OPR.pdf                              | 89209 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:46 | Create | Document Type    | ROI                                                       | 89209 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:46 | Create | Dateentered      | 01/24/2013                                                | 89209 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Document 1       | RE_ UAW Close Letter (Litigation) (internal).pdf          | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Document 3       | RE_ Complaint No. 11-10-ICE-0289.pdf                      | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Comments         | Emails / Other                                            | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Foreign Language | No                                                        | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Document 5       | Letter to (b)(6) re Criminal Investigation 11.6.13.pdf    | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Document 2       | Michigan case .pdf                                        | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Document 4       | FW_ (b)(6) investigation.pdf                              | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Document Type    | Miscellaneous Material/Other                              | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:48 | Create | Dateentered      | 01/24/2013                                                | 89210 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:49 | Create | Document 1       | RE_ Complaint No. 11-10-ICE-0289.pdf                      | 89211 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:49 | Create | Comments         | OIG Admin Closed email.                                   | 89211 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:49 | Create | Foreign Language | No                                                        | 89211 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:49 | Create | Document Type    | Miscellaneous Material/Other                              | 89211 |        | User Change |
| DhsComplaintDocument | 2013-01-24 09:49 | Create | Dateentered      | 01/24/2013                                                | 89211 |        | User Change |
| DhsComplaintDocument | 2011-08-23 13:37 | Create | Document 3       | 7 18 2011 (b)(6) supplemental-ICE OPR review findings.pdf | 84904 |        | User Change |
| DhsComplaintDocument | 2011-08-23 13:37 | Create | Document 1       | 7 18 2011 (b)(6) pdf                                      | 84904 |        | User Change |
| DhsComplaintDocument | 2011-08-23 13:37 | Create | Document Type    | Incoming Letter                                           | 84904 |        | User Change |
| DhsComplaintDocument | 2011-08-23 13:37 | Create | Dateentered      | 08/23/2011                                                | 84904 |        | User Change |
| DhsComplaintDocument | 2011-08-23 13:37 | Create | Foreign Language | No                                                        | 84904 |        | User Change |
| DhsComplaintDocument | 2011-08-23 13:37 | Create | Document 2       | 7 25 2011 (b)(6) Rep. Conyers Letter.pdf                  | 84904 |        | User Change |
| DhsComplaintIssue    | 2012-05-01 11:03 | Create | Incident Date    | 07/13/2011                                                | 13485 |        | User Change |

|                             |                  |        |                     |                              |       |        |             |
|-----------------------------|------------------|--------|---------------------|------------------------------|-------|--------|-------------|
| DhsComplaintIssue           | 2012-05-01 11:03 | Create | Ongoing             | No.                          | 13485 | (b)(6) | User Change |
| DhsComplaintIssue           | 2012-05-01 11:03 | Create | Situation           | DHS law enforcement activity | 13485 |        | User Change |
| DhsComplaintIssue           | 2012-05-01 11:03 | Create | Redirect to Subject | No.                          | 13485 |        | User Change |
| DhsComplaintIssue           | 2012-05-01 11:03 | Create | (b)(5)              | (b)(5)                       | 13485 |        | User Change |
| DhsComplaintIssue           | 2012-05-01 11:03 | Create | Primary Issue       | Yes                          | 13485 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | First Name          | (b)(6)                       | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Contact Type        | Sender                       | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Last Name           | (b)(6)                       | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | City                | Detroit                      | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | State               | Michigan - MI                | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Address Line 1      | 8000 East Jefferson Ave.     | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Organization        | Other                        | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Other Organization  | UAW                          | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Phone               | 313 (b)(6)                   | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Zip Code            | 48214                        | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 13:52 | Create | Prefix              | Mrs                          | 22180 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:19 | Create | First Name          | (b)(6)                       | 22181 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:19 | Create | Contact Type        | On Behalf Of                 | 22181 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:19 | Create | Last Name           | (b)(6)                       | 22181 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:19 | Create | Prefix              | Mrs                          | 22181 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:20 | Create | First Name          | (b)(6)                       | 22182 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:20 | Create | Contact Type        | On Behalf Of                 | 22182 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:20 | Create | Last Name           | (b)(6)                       | 22182 |        | User Change |
| DhsComplaintPartiesInvolved | 2011-08-23 15:20 | Create | Prefix              | Mr                           | 22182 |        | User Change |

**Dent, Martina**

---

**From:** (b)(6)@dhs.gov]  
**Sent:** Tuesday, October 04, 2011 10:25 AM  
**To:** (b)(6)  
**Cc:**  
**Subject:** RE: CRCL Complaint Number 11-10-ICE-0309

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

*Office of Inspector General*

**U.S. Department of Homeland Security**



**Homeland  
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion...

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken...

---

**From:** (b)(6)@dhs.gov]  
**Sent:** Monday, October 03, 2011 1:31 PM  
**To:** (b)(6)  
**Cc:**  
**Subject:** CRCL Complaint Number 11-10-ICE-0309

(b)(6)

Summary of new complaint for your review:

On July 1, 2011, CRCL received informal email correspondence from the National Alliance of La Raza in regard to concerns that were first reported verbally to Secretary Napolitano by the CEO of NewCapital LLC, (b)(6). (b)(6) Allegedly, over labor day weekend of 2010, ICE officers entered a building in the Los Angeles metropolitan area that is managed by NewCapital LLC, then at 3:00 am detained a mother and two children, 7 and 12 years of age were left behind, alone until family members came to get them because tenants in the building contacted them.

The name of the detained mother and children are unknown.

In addition, allegedly ICE agents were also parked outside of the building for three days waiting for tenants that they wanted to pick up. The property manager spoke to the agents and asked if they had warrants and the ICE agents responded that they did not and eventually left.

Thank you.

---

(b)(6)

Program Analyst  
Compliance Branch  
Office for Civil Rights & Civil Liberties  
Department of Homeland Security

(b)(6)

**From:** (b)(6)  
**Sent:** Tuesday, September 27, 2011 4:23 PM  
**To:** (b)(6)  
**Subject:** FW: NCLR board member

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

(b)(6)

Please go ahead and log in the matter below as a **Complaint**. No acknowledgement letter needs to be sent.

(b)(5) Recommend that it be assigned to me. I'll upload the emails I sent to NewCapital LLC after this is logged in. I haven't received any response to my latest email to (b)(6). We have no identifying information about the individual removed or specific location where the ICE operation took place (somewhere in the Los Angeles metropolitan area, presumably).

Thanks,

(b)(6)

---

**From:** (b)(6)  
**Sent:** Tuesday, September 13, 2011 10:00 AM  
**To:** (b)(6)  
**Subject:** RE: NCLR board member

Hi (b)(6)

Please log this in only as a Contact/Info Tracking matter for now. I've contacted (b)(6) several times in writing and by phone since July 20, 2011, and to date she has not responded with any information identifying the name of the person removed or any other details about the allegations.

Margo asked about the status last month and (b)(5)  
(b)(5) I'll keep you posted. (b)(6) email auto-reply said that she was out of the office until September 7, 2011. So far, after she returned to the office, I have not heard from her.

(b)(6)

202-357- (b)(6)  
(b)(6) @hq.dhs.gov

---

**From:** (b)(6)  
**Sent:** Tuesday, September 13, 2011 9:42 AM  
**To:** (b)(6)  
**Subject:** RE: NCLR board member

Hi (b)(6)



Want to let you know that this email below got lost in my archives; therefore, it has not been processed yet. I am processing it now and opening it as a complaint. Have there been any new developments in the matter that I need to note in Entellitrak?

Thank you

(b)(6)  
Office for Civil Rights & Civil Liberties  
Department of Homeland Security  
(202) 357-(b)(6) phone)  
(202) (b)(6) (bb)  
(b)(6) @dhs.gov

---

**From:** (b)(6)  
**Sent:** Thursday, July 21, 2011 4:15 PM  
**To:** (b)(6)  
**Subject:** FW: NCLR board member

(b)(6)  
Can you please log in the ICE complaint below? (b)(5)  
(b)(5) (b)(6) (b)(5)

We have not yet received the formal correspondence from NEWCapital LLC. Therefore, no acknowledgement letter needs to be sent yet.

To expedite this complaint, Jeff said that CRCL will interview the complainant to get more information. (b)(6) is the POC for NewCapital LLC whose name and contact information was given to (b)(6). Whether (b)(6) will be preparing and/or signing the complaint letter to CRCL is unclear. (b)(6) contact info:...

(b)(6) NEWCapital LLC

(b)(6) @newcapital-llc.com

213 (b)(6) (cell)

The National Alliance of La Raza ("La Raza") informally reported this matter to CRCL (b)(6) in the informally to CRCL, and (b)(6) from La Raza does not need to be listed as a Source in our database. The concerns were first reported verbally to Secretary Napolitano by the CEO of NEWCapital LLC, (b)(6)

Yesterday I emailed (b)(6) of NEWCapital LLC (the company that manages the property where the alleged incident occurred), to request that details about the matter be sent to CRCL in writing, if NEWCapital wants CRCL to review the concerns. (b)(6) agreed to send such correspondence...

I had first called (b)(6) this Monday to let her know how CRCL learned of this matter and to request more information. She told me at the time she had to take care of urgent matters at work, and would call me back later that day. After not hearing from her, I called her again yesterday to follow up and let her know how to file a complaint with CRCL. She apologized for not calling, saying that it has been a busy week. Later yesterday, I sent her an email to reiterate the procedure for sending a complaint to CRCL, including links to our website and the webpage with the Complaint Form.

Thanks,

(b)(6)

202-357-

(b)(6)

(b)(6)@hq.dhs.gov

---

**From:** Blumberg, Jeffrey  
**Sent:** Sunday, July 17, 2011 9:27 PM  
**To:** (b)(6)  
**Cc:** (b)(6)  
**Subject:** FW: NCLR board member

Can we also discuss this one on Thursday?

Thanks,

Jeff

---

**From:** (b)(6)@dhs.gov]  
**Sent:** Wednesday, July 13, 2011 7:22 PM  
**To:** Blumberg, Jeffrey; (b)(6)  
**Cc:** (b)(6)  
**Subject:** Re: NCLR board member

Sure. If you could just keep me informed of major milestones that you can share: had the initial call, decided to open an investigation, on-going, etc that would be great. NCLR asked for updates too. Of course do let us know if there are stuff you can't share.

(b)(6)

Policy Advisor  
Community Engagement Section  
US Department of Homeland Security  
Office for Civil Rights and Civil Liberties  
202-357-(b)(6) Office)  
202-(b)(6) Mobile)  
(b)(6)@dhs.gov  
Sent using BlackBerry

This message may contain agency deliberative communications, privacy information or other information that may be privileged and exempt from disclosure outside the agency or to the public. Please consult with the US Department of Homeland Security, Office for Civil Rights and Civil Liberties and the Office of General Counsel before disclosing any information contained in this email.

---

**From:** Blumberg, Jeffrey [mailto:(b)(6)@dhs.gov]  
**Sent:** Wednesday, July 13, 2011 04:34 PM  
**To:** (b)(6); Blumberg, Jeffrey; (b)(6)  
**Cc:** (b)(6)  
**Subject:** Re: NCLR board member

Thanks (b)(6) We can make the initial call. Appreciate the help.

Jeff

---

**From:** (b)(6)@dhs.gov]  
**Sent:** Wednesday, July 13, 2011 04:03 PM  
**To:** (b)(6) Blumberg, Jeffrey (b)(6)  
(b)(6)  
**Subject:** Re: NCLR board member

Jeff - I finally have the contact info for the (b)(6) at NEW Capital, the company whose CEO is the NCLR Board Member.

She is the person to follow up to get more details. I can do an initial call to express our interest in getting more details for a possible investigation, but if you'd like to take over at this point I'm fine too.

In a quick chat with Margo about this she mentioned this should be a short form complaint.

The (b)(6) She can be reached at

(b)(6)@newcapital-llc.com or by cell at

213-(b)(6)

(b)(6)

Policy Advisor

Community Engagement Section

US Department of Homeland Security

Office for Civil Rights and Civil Liberties

202-357-(b)(6) (Office)

202-(b)(6) (Mobile)

(b)(6)@dhs.gov

Sent using BlackBerry

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**From:** (b)(6)  
**Sent:** Monday, July 11, 2011 04:06 PM  
**To:** (b)(6) Blumberg, Jeffrey (b)(6)  
**Subject:** RE: NCLR board member

At this point it may be worth reaching out directly to the Board Member or her staff at her company where the incident happened. I will get the contact info. Best,

(b)(6)

DHS CRCL

W: 202-357-(b)(6)

C: 202-(b)(6)



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**From:** (b)(6)  
**Sent:** Monday, July 11, 2011 1:58 PM  
**To:** (b)(6); 'Blumberg, Jeffrey'; (b)(6)  
**Subject:** RE: NCLR board member

Compliance and Engagement,

FYI, I followed up with ICE on whether there is any relevant policy to cover a situation like this and was given the following policy. I shared it with Margo (b)(5)

(b)(5)

I am sure Compliance will need additional info before opening a complaint, and perhaps it depends in part on NCLR's willingness to make this a complaint. But, I thought I'd share the policy in the meantime.

Let us know if Immigration Section can be of further assistance.

Thanks,

(b)(6)

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**From:** (b)(6)  
**Sent:** Wednesday, July 06, 2011 3:18 PM  
**To:** 'Blumberg, Jeffrey'; (b)(6)  
**Subject:** FW: NCLR board member

Folks – Over the long weekend I finally heard from NCLR re: the ICE issue brought up by a Board Member to Secretary Napolitano at their meeting 2 weeks ago. The Board member is from L.A. (not Miami) . Below is a basic description of events although I am sure you will have additional questions. I already asked if we could have direct contact information/communication with the staff at NEWCapital in case we choose to request additional details.

Best,

(b)(6)

DHS CRCL

W: 202-357 (b)(6)

C: 202 (b)(6)

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**From:** (b)(6)@nclr.org  
**Sent:** Friday, July 01, 2011 12:23 PM  
**To:** (b)(6)  
**Subject:** NCLR board member

Hi (b)(6)

I apologize for the delay in responding to your message. The NCLR board member who spoke at the meeting with Secretary Napolitano about the incident of children being left behind after an immigration enforcement action was (b)(6) the CEO of NEWCapital LLC in Los Angeles, CA.

I was able to speak to the (b)(6) for NEWCapital and she gave me some info on the incident. Over labor day weekend last year, ICE officers entered a building that is managed by NEWCapital LLC (most of the tenants are working single mothers) and knocked on the door of an apartment at 3 or 4am and detained a mother who was in her pajamas. She was removed from the building in pajamas and sandals without having an opportunity to change much less make arrangements for her children who had been sleeping. The children are 7 and 12 years old and were left alone until family members came to get them because tenants in the building contacted them. The mother has since been deported to Mexico and the children are living with their father.

Apparently ICE agents were also parked outside of the building for three days waiting for tenants that they wanted to pick up. The property manager spoke to the agents and asked if they had warrants and the ICE agents responded that they did not and eventually left.

I hope this information is useful. Please feel free to contact me if I can help out in any way.  
Safe travels to the conferences!

Best,

(b)(6)

(b)(6) Immigration Legislative Analyst  
Immigration Policy Project

**National Council of La Raza (NCLR)**

Headquarters

MAIN ..... 202.785.1670

TEL ..... 202. (b)(6)

FAX ..... 202. (b)(6)



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**From:** (b)(6)  
**Sent:** Thursday, July 21, 2011 9:02 AM  
**To:** Blumberg, Jeffrey  
**Cc:** (b)(6)  
**Subject:** RE: NCLR board member

Okay.. Yesterday I gave (b)(6) an email thread about this matter to review before today's meeting.

Yesterday I also emailed (b)(6) of NEWCapital LLC (the company that manages the property where the alleged incident occurred), to request that details about the matter be sent to CRCL in writing, if NEWCapital wants CRCL to review the concerns. (b)(6) agreed to send such correspondence...

I'd first called (b)(6) this Monday to let her know how CRCL learned of this matter and to request more information... She told me at the time she had to take care of some urgent matters at work, and said she would call me back later that day... After not hearing from her, I called her again yesterday to follow up and let her know how to file a complaint with CRCL. She apologized for not calling, saying that it has been a hectic week at work. Later yesterday, I sent her an email to reiterate the procedure for sending a complaint to CRCL, including links to our website and the webpage with the Complaint Form.

(b)(6)

**From:** Blumberg, Jeffrey  
**Sent:** Wednesday, July 20, 2011 9:08 PM  
**To:** (b)(6)  
**Cc:** (b)(6)  
**Subject:** RE: NCLR board member

(b)(6)

(b)(5) So let's discuss this one tomorrow (b)(5)

Thanks,

Jeff

**From:** (b)(6)  
**Sent:** Wednesday, July 06, 2011 4:32 PM  
**To:** Blumberg, Jeffrey  
**Cc:** (b)(6)  
**Subject:** RE: NCLR board member

Okay.. Unless you advise otherwise, I'll hold off on forwarding this to the CRCL account and asking that it be input as a Contact in the database...

If we plan to handle this as a Complaint or otherwise look into it further, I think we would want to ask the NGO to send more information, such as the name and alien number of the individual apprehended in that enforcement action and later deported.

**From:** Blumberg, Jeffrey  
**Sent:** Wednesday, July 06, 2011 4:24 PM  
**To:** (b)(6)  
**Cc:** (b)(6)  
**Subject:** FW: NCLR board member

Can we put on the list to discuss tomorrow?

**From:** (b)(6)@dhs.gov]  
**Sent:** Wednesday, July 06, 2011 3:25 PM  
**To:** (b)(6) Blumberg, Jeffrey; (b)(6)  
**Cc:** Schlanger, Margo; Gersten, David; Kessler, Tamara; (b)(6)  
**Subject:** Re: NCLR board member

Looping in Margo, Tamara, (b)(6) and David.

(b)(6)  
Senior Policy Advisor  
Section Lead, Community Engagement Section  
Office for Civil Rights and Civil Liberties  
Office of the Secretary  
US Department of Homeland Security  
202-(b)(6) (Mobile)  
(b)(6)@hq.dhs.gov

Sent from my BlackBerry wireless communicator

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